IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

TYREE SMITH, et al.)
)
v.) NO. 3-13-1444
) JUDGE CAMPBELL
C/O J. CHAMPACO, et al.)

ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 278) and Objections filed by Plaintiff Tyree Smith (Docket No. 282).

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, and the file. The Objections of the Plaintiff are overruled, and the Report and Recommendation is adopted and approved. Plaintiff's unsuccessful attempts to find legal representation is an insufficient reason not to dismiss this case for failure to prosecute after more than two and a half years.

Accordingly, this action is DISMISSED without prejudice, and the Clerk is directed to close the file. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.

TODD J. CAMPBELL

UNITED STATES DISTRICT JUDGE